

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROGER EDWARD JEROME BIEROS : CIVIL ACTION  
VS. :  
WARDEN, STATE FACILITY :  
HUNTINGDON - GRACE, J.L., :  
and the DISTRICT ATTORNEY :  
of the COUNTY OF PHILADELPHIA :  
and the ATTORNEY GENERAL of : NO. 07-CV-238  
the STATE of PENNSYLVANIA

ORDER

AND NOW, this 13th day of June, 2007, upon consideration of the pleadings and the record herein and after a review of the Report and Recommendation of Chief Magistrate Charles B. Smith and the Petitioner's objections thereto, it is hereby ORDERED that:

- 1) The Report and Recommendation is APPROVED and ADOPTED.
- 2) The Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. §2254 is DENIED.
- 3) There is no probable cause to issue a certificate of appealability.

It is so ORDERED.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.